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IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4059 OF 2007

Shivajirao Sakharam Jhondale .. Applicant

versus

State of Maharashtra .. Respondent

...

Mr.Shirish Gupte i/b H.E.Palwe for the applicant.
Mr.K.V. Saste, APP for the State.

CORAM : D.G.KARNIK, J

DATED : 19th December 2007

P.C.:

1. Heard learned counsel for the applicant and learned APP for the State.

2. The applicant seeks anticipatory bail under section 438 of the Code of Criminal Procedure in connection with the crime registered under C.R.No.I-197 of 2007 registered Vishnu Nagar police station.

3. I have perused the FIR. The FIR does not

disclose the presence of the applicant at the scene of crime. FIR also does not make any specific reference to the present applicant regarding the crime. Except for one solitary statement of one of the witnesses, nobody mentions the name of the applicant in connection with the crime. The applicant is stated to be a leading educationalist and is a trustee of a trust which runs about a dozen educational institutions. The applicant has permanent place of residence at the address mentioned in the title of the application and the prosecution does not envisage any possibility of his absconding.

4. Taking these facts into consideration, the applicant is entitled to bail. In the circumstances, I pass the following order:-

O R D E R

. In the event of arrest of the applicant in connection with C.R. No.I-197-2007, he shall be released on bail on personal bond of Rs.30,000/- with two sureties of Rs.15,000/- each.

. Application is disposed of accordingly.

(D.G. KARNIK, J)